IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/529,365 Confirmation No. : 8003

First Named Inventor : Christoph ESPEY Filed : June 13, 2000

TC/A.U. : 3753 Examiner : J Fox

Docket No. : 038738.48700US

Customer No. : 23911

Title : Electrically Controlled Valve

RESPONSE UNDER 37 C.F.R. § 1.111

Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The following comments are addressed to the Office Action dated November 16, 2004.

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above Amendment and the discussion below.

According to the present Office Action claims 8, 9, 22, 24 and 27 are rejected under 35 U.S.C. §102 as anticipated by Boehland (U.S. Patent No.: 5,810,328) previously of record.

Prior to discussing the nature of the present invention and the features which distinguish independent claims 8 and 22 from the reference to Boehland, Applicants respectfully point out that claims 8, 9 and 22 were rejected in the patent Office Action of December 5, 2003 as anticipated by the same reference to Boehland. Subsequent to the December 5, 2003 Office Action, Applicants filed an Amendment on February 24, 2004 which resulted in the final Office Action of May 20, 2004, which maintained a rejection over other art but did not maintain